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# **Notice of Allowability**

**Application No.**

09/303,409

**Examiner**

Fred Ferris

**Applicant(s)**

FELDMAN ET AL.

**Art Unit**

2128

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 18 August 2004.
2. ☒ The allowed claim(s) is/are 1-16,20 and 21.
3. ☒ The drawings filed on 07 January 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## **Attachment(s)**

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|   | 9. <input type="checkbox"/> Other _____   |

### DETAILED ACTION

1. The office action is in response to applicants after final amendment filed on 18 August 2004. Applicants have now cancelled claims 17-19 and 22. Claims 1-16, 20 and 21 were previously allowed over the prior art of record.

### Response to Arguments

2. Applicant's arguments filed 22 April 2004 have been fully considered and found to be persuasive. Applicants have now cancelled claims 17-19 and 22, hence, the previous rejections no longer apply. Claims 1-16, 20 and 21 were previously allowed.

### Allowable Subject Matter

3. Claims 1-16, 20 and 21 have been allowed over prior art of record.

The following is a statement of reasons for allowance: Applicants are disclosing a method and system for identifying defects in molded parts incorporating a molding tool, a spatially-resolved spectrometer obtaining sample points, computerized post-processing, analyzing, filtering, compression, and min/max/threshold processing of data points. This has been disclosed in the prior art. However, applicant's disclosure pertaining to calculating and linearizing a **quality number Q** indicative of at least one of a number and intensity of streaks, from the final iteration filtered data graph where the value of the quality number Q is calculated as  $Q = \ln(M * \sum DL/dx)$  and where  $\sum DL/dx$  represents the sum of slopes of final iteration filtered data and M is the linearization number (see specification page 11, lines 1-24, Fig. 5, for example), is deemed novel

*and non-obvious over prior art of record. This feature as defined in the specification and now recited in the independent claims 1, 9, 20, and 21 is deemed novel and non-obvious over prior art of record. Dependent claims 2-8 and 10-16 are allowable as being dependent from independent claims 1 and 9 respectively.*

*Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."*

#### **Conclusion**

4. *Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fred Ferris whose telephone number is 703-305-9670 and whose normal working hours are 8:30am to 5:00pm Monday to Friday.*

*Any inquiry of a general nature relating to the status of this application should be directed to the group receptionist whose telephone number is 703-305-3900.*

The Official Fax Numbers are:

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October 2, 2004

JEAN R. HOMERE  
PATENT EXAMINER

